

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Approved Minutes
Thursday, September 19, 2019, 7:30 p.m.
Town Hall, Council Chambers
14 Park Place, 3rd Floor, Vernon CT

1. Call to Order & Roll Call

- Meeting was called to order by Roland Klee, Vice Chairperson, at 7:32pm.
- Members present: Joseph Miller, Jesse Schoolnik, Yu (Iris) Mullan, Michael Mitchell, Robin Lockwood (sitting for Wes Shorts)
- Members absent: Wes Shorts, Susan Reudgen
- Staff present: Shaun Gately, Interim Director of Planning and Development
- Recording secretary: Kathleen Minor

2. Administrative Actions/Requests

- 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #5 "Other Business" requires Commission vote

Jesse Schoolnik motioned to accept the agenda as presented. Joseph Miller seconded and the motion passed unanimously.

- 2.2 Communications received NOT related to Agenda items, if any
- None

- 2.3 Acceptance of the Minutes from the September 5, 2019 meeting

Michael Mitchell motioned to accept the minutes of September 5, 2019. Jesse Schoolnik seconded and the motion passed unanimously.

3. New Application(s) for receipt, if any

- None

4. Public Hearing and Action on Application(s)

Application [PZ-2019-09] of Kenneth Boynton, for a Zone Change from PDZ Gerber Zone to the Comprehensive Multi-Family Dwelling Zone, Special Permits and Preliminary Plan of Development for 15 new single family units at **652 Dart Hill Road** (Assessor's ID: Map #04, Block #0004, Lot/Parcel #00002).

- Interim Director of Planning and Development, Shaun Gately, read the Public Notice into the record that was published in the Journal Inquirer on September 7, 2019 and September 14, 2019.
- Attorney Dorian Famiglietti of Kahan, Kerensky and Caposella, LLP spoke on behalf of the Application
- Applicant Kenneth Boynton, Jon Boynton and Kristyn Boynton were present

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- Mark Peterson, of Gardner and Peterson Associates, LLC, spoke on behalf of the Application.
- Frank Salerno, 3 Quail Crossing, Vernon CT, commented
- Clarice Leger, 18 Quail Hollow Close, Vernon CT, commented
- Stephen Mosher, Dart Hill Associates, 670 Dart Hill Road, Vernon CT commented
- Joseph Rusate, 5 Shady Brook Lane, Vernon, CT commented

Public Hearing closed at 8:41pm.

Joseph Miller motioned that the Vernon Planning & Zoning Commission approves Application **[PZ-2019-09]** of Kenneth Boynton for a Zone Change from PDZ Gerber Farm Area zone to the Comprehensive Multi-Family Dwelling Zone, along with a “Preliminary Plan of Development” and special permits at **652 Dart Hill Rd.** (Assessor’s ID: Map #04, Block #0004, Lot/Parcel #00002). This approval is granted because the PZC finds that this Zone change and Preliminary Plan of Development is consistent with the comprehensive plan and how the surrounding neighborhoods have developed and it is consistent with the Town of Vernon’s 2012 POCD because it limits potential conflicts between future commercial development and existing residential homes as well as offering another form of home ownership with the following stipulation that a stop sign and stop bar be added to the plans and installed at the exit of the complex onto Dart Hill Road. The motion was seconded by Michael Mitchell and passed unanimously.

Shaun Gately read into the record that the Special Permits that were approved are as follows:

1. Sec. 15.1 – Excavation of not to exceed fifty (50) cubic yards in no more than one half (½) acre of land is disturbed
2. Sec 20.4.2.3 – Residential development of more than one (1) dwelling unit in Aquifer Protection Zone
3. Sec. 20.4.2.5 – Excavation of land of more than one-hundred (100) cubic yards for off site use or the disturbing of more than one half (1/2) acre on a site in an Aquifer Protection Zone
4. Sec. 20.4.2.6 – Any use involving the retention of less than fifty (50) percent of the lot in a natural state in an Aquifer Protection Zone

Application **[PZ-2019-10]** of Robert O’Malley, for a Special Permit for Excavation/Stone Removal on a **Vacant Lot on Hatch Hill Road** having 62.60 acres (Assessor’s ID: Map #50, Block #0138, Lot/Parcel #00003).

- Interim Director of Planning and Development, Shaun Gately, read the Public Notice into the record that was published in the Journal Inquirer on September 7, 2019 and September 14, 2019.
- Robert O’Malley, Applicant, presented the Application
- Shaun Gately gave a summation of the Application
- Mark Melley, 226 Hatch Hill Road, Vernon CT commented
- Paul Weisser, 37 Linwood Drive, Vernon CT commented
- Carmine Pellegrino, 15 Lakeview Drive, Vernon CT commented
- Peter Robbins, 170 Brandy Hill Road, Vernon CT commented
- Tom Jaworski, 166 Hatch Hill Road, Vernon CT commented

- Charlie Piader, 24 Lakeview Drive, Vernon CT, commented
- Ann Boney, 38 Lakeview Drive, Vernon CT, commented

Michael Mitchell motioned to take a ten minute recess beginning at 9:23 p.m. for commission members and public to review the Application site plan. Joseph Miller seconded and the motion passed unanimously.

Robin Lockwood motioned to resume the meeting at 9:33 p.m. Joseph Miller seconded and the motion passed unanimously.

- Joseph Pellegrino, 15 Lakeview Drive, Vernon CT commented.

Public Hearing closed at 9:42 p.m.

Joseph Miller motioned that the Vernon Planning & Zoning Commission approves Application (PZ-2019-10) of Robert O'Malley, with amendments for a Special Permit to remove more than 50 cubic yards of stone from the property on Hatch Hill Rd (Assessor's ID: Map #50, Block #0138, Lot/Parcel,#00003). This approval is granted because the PZC finds that the application, as presented by the applicant and as amended by the stipulations of this approval complies with the applicable requirements of the Vernon Zoning Regulations and satisfies the requirements section 17.3. Michael Mitchell seconded and the motion passed 4-2 with Commissioners Klee, Lockwood, Mitchell and Miller in favor and Commissioners Mullan and Schoolnik opposed.

Additional Stipulations to be added to the standard conditions and restrictions:

- There will be no blasting associated with this approval.
- The proposed activity shall be confined to the area shown on the site plan.
- Hours of operation shall be adhered to (8:00am to 4:00pm Monday- Friday).
- All disturbed areas must be made safe and stabilized before moving on to another area.
- This permit must be renewed every year to ensure site conditions have not changed.
- The applicant will be limited to removing no more than two 30 cubic yard dumpsters of stone per week to limit truck traffic.
- No processing of stone onsite.
- Equipment on site will be limited to an excavator, a bobcat, and a truck.

5. Other Business/Discussion

5.1 POCD

Interim Director of Planning and Development Shaun Gately updated the commission on the status of the review. Discussion ensued.

5.2 Sustainable CT

Interim Director of Planning and Development Shaun Gately updated the commission on the progress.

6. **8-24 Referrals, if any**

- None

7. **Communications sent**

- None

8. **Adjournment**

Robin Lockwood motioned to adjourn meeting at 9:58pm. Joseph Miller seconded and the motion passed unanimously.

Respectfully Submitted,



Kathleen Minor
Recording Secretary